

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14452 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -KALYANPUR District- SAMASTIPUR

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1. Pappu Jha S/o Pramod Jha , R/o Village- Basudeopur, P.S.- Kalyanpur,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.01.2018 in connection with Kalyanpur P.S. Case No. 07/2018
for offences punishable under Sections 30(a), 38(i) (ii), (iii) and 47
of the Bihar Excise and Prohibition Act, 2016.

The prosecution case, as lodged by the police
personnel, is that during course of vehicle checking they
intercepted a Xylo car from which three persons fled away and
four persons were apprehended along with 35.250 litres of foreign
illicit liquor. On their tip off the house of the petitioner was raided
and under the bed 72 litres of foreign illicit liquor was recovered.



Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and nothing has been recovered from his conscious possession. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Addl. Sessions Judge cum Special Judge, Excise Act, Samastipur, in connection with Kalyanpur P.S. Case No. 07/2018, subject to the conditions that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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